

(1)

Moderation turn'd into Madness, (2)

Prov'd by the Proceedings of a Moderate Corporation,
in a plain, and Familiar

LETTER,

To a Burgeſſ of Derby.

Quos Jupiter vult perdere, prius dementat.

Honeſt Neighbour,

I Muſt Acknowledge the Conduct of the Corporation of Derby, for ſome Years paſt, hath occaſion'd m^{any} ſerious Thoughts, but nothing ever ſurpriz'd me ſo much, as their calling in the Town and Country to be made Burgeſſes. This has caus'd me to conſider the Intent and Deſign of the Crown, in making Corporations, and what a Corporation is. A Corporation is a Body Politick, conſtituted by the King's Charter, whereby they are inveſted with Authority, to protect and defend (not to deſtroy) the Rights and Privileges of ſuch Perſons, as ſhall be capable to Enjoy 'em by proper Qualifications mention'd in that Charter. And the King, viz. King Charles II. appoints this Corporation to be Truſtees, for the Community of Perſons ſo qualify'd, or to be qualify'd, as the Charter Directs, to protect and defend the ſaid Community, and every individual Member thereof, in their Rights and Privileges, granted to 'em by that Charter, againſt all Perſons who ſhall preſume to invade 'em. To oblige 'em to the Performance whereof, the King has appointed an Oath to be taken by every Member, upon his Admiſſion into the Corporation, that he will to the beſt of his Power in all things, promote it's Intereſt. Now the Majority

of the Corporation of *Derby* Act, as if they had Rights and Privileges of their own, independent of, opposite to, and inconsistent with the Rights of the Community of Burgeses ; whereas they have no such Rights, and have only an executive Power as Trustees, to take care of the Rights of the Community of Burgeses, for whose Preservation and Advantage they were only constituted a Corporation. And in my humble Opinion, the Actions of the Corporation, are the very Reverse to the Design of their Institution ; for instead of defending and preserving the Burgeses Rights, they prostitute 'em all to their own vile Ends of Covetousness and Ambition, assume to themselves an Arbitrary and Tyrannical Power, and forget their own darling Doctrine, that Governors are not appointed for any good to themselves, but for the good of the governed, which when they cease to be, they are no longer Magistrates, but Tyrants, and may be depos'd, dragg'd about the Streets, and what not ? How Happy is it then for this Corporation, that they Govern Honest Passive-Obedient-Tories, seeing they have made themselves thus Obnoxious to this dirty Punishment. You must observe Neighbour, that this defiling Doctrine is Whiggish, and by no means to be put into Practice by those who are of better Principles ; but you must wait with Patience, till you be relieved by a Superior Power ; (which in all humane probability can't be long,) till then you must be Passively-Obedient. Now Neighbour let me explain the matter a little to you, a Man of a small Capacity may understand it. You must consider then that the Corporation may, and ought to procure, what further Privileges and Advantages they can, for the Community for whom they are Trustees ; but they cannot abridge or take any of your Privileges away, being they were granted to you by the King, and the Corporation was appointed by the same Power to be Trustees to preserve 'em, and others you have by prescription, and I suppose the Law will allow that title. Consider further what Qualifications are Requisite, to make a Burgess of *Derby* by the Charter. (And I suppose the King design'd That for the Rule of the Corporations Actions.) And then consider what Privileges appertain to him, and whether the Corporation has not invaded 'em all. A Burgess of *Derby*, regularly so by the Charter, ought either to serve 7 Years Apprenticeship to one that is a Burgess, or else he must be the Son of one, who was a Burgess at the Time of his Birth ; and he has these Privileges, first, to Trade within the Burrough, Secondly, to Vote for the Electing Burgeses to Represent the Borough, and Thirdly, to have Right of Common, and other small Privileges of Pastures.

Now

Now Neighbour, I think 'tis manifest, that the Corporation has invaded all these Rights. Is there a Trade in Town that they have not betray'd, by their selling for a Summ of Money the Rights of that Trade, to Persons not Qualify'd by the Charter, tho' they have been apply'd to, with all the Tenderneſs Imaginable by the injur'd Persons? Is it not a moſt Shameful Impoſition, that after the Burgeſſes have given a conſiderable Summ of Money, and undergone 7 Years Slavery, to Qualify 'em for the Privileges and Rights of the Corporation, that the Corporation ſhall Sell thoſe Rights and Privileges, which the Burgeſſes had ſo purchas'd, and in which the Corporation ought to defend 'em? And as for Voting, 'tis a Privilege granted by the King in his Charter, as a further Encouragement to Industry: That Burgeſſes that become ſo by the Rules of the Charter, ſhall have a Right to Vote for Members to Represent 'em in Parliament. And the Deſign of the Kings Favour towards 'em is, that ſuch Members may Represent their Grievances in Parliament, in order to have 'em Redreſs'd, or elſe may procure new Privileges for the Advantage of Trade, or elſe may divert ſome Proceedings, that might be Prejudicial to it. Now the Corporation by their arbitrary ſwearing Persons, that have no Right as well Country-men as Townſ-men, in effect takes away the Privilege of every Burgeſſ regularly ſo, according to the Charter; for tho' they don't deprive you of your Liberty of voting, yet by their adding ſo many falſe Burgeſſes, and allowing them a Liberty to vote, they give the Power of Elections from you, who have a Right to elect by the Charter, to thoſe that have really none. But perhaps the Corporation will urge on their behalf, that in Mr. *Francey's* Mayoralty, ſeveral Gentlemen were ſwore Burgeſſes that had no Right. To which I anſwer, that I don't, nor can't vindicate the Matter in Strictneſs, but muſt acknowledge that in my Opinion it was done by an Exceſs of Power; But yet I wou'd have you conſider what a vaſt Difference there is in the Caſes, and then judge of the Sincerity of the Actions. When Mr. *Harpur* and Mr. *Stanhope* were Representatives of this Borough without Oppoſition, ſeveral Gentlemen of the County appear'd at the *Town-hall*, out of reſpect to the Candidates the Day they were to be return'd. And you muſt conſider farther, that the Corporation had then reſolv'd to have a Bill brought into Parliament for making the *River Derwent* navigable. And ſeveral Gentlemen being then upon the Bench, who might ſerve or diſſerve the Corporation very much in that Affair, ſome of 'em having great Eſtates upon the River,

whose Consent must be obtained before the passing the Bill, and others were Members of Parliament, as Mr. *John Curzon*, Mr. *Coke*, and Mr. *Sacheverel* ; therefore the Corporation with a very good Design made Them Burgesses, thereby obliging them by their Burgess-Oaths to promote the intended Bill, and it had so good Effect, that it pass'd the House of Commons, tho' it had the Misfortune to be thrown out of the House of Lords, by the Interest of His Grace *William Duke of Devonshire* then Lord High Steward of this Corporation. Now Neighbour, I hope you'll allow something of Reason in this Case, and that there was a Design to do the Corporation very great Service by it. But what have these glorious Patriots to say for themselves for swearing a Gang of King-resisting-Hoadleyans, who are known by nothing more than a fiery Zeal for Moderation, and a guilty Paleness in their Faces, when ever they hear any mention of the inherent independent Rights of the Establish'd Church ; and yet at the same time denying those Persons their Oaths that were indisputably qualified by the Charter. Can they expect any thing less than that the Crown will take the Power out of their Hands, whose Principles and Endeavors are to destroy it, and give it to such Persons who wou'd sacrifice their Lives and Fortunes to preserve it ? I must own they seem to me to be infatuated to court their own Ruin, and to be frantick with their overmuch Zeal for Moderation. Does not this look Neighbour as if the Majority of the Corporation had forgot their Oaths they took at their Admission, and instead of doing the best Service they can to the Community of Burgesses of the Corporation, for whom they are Trustees, they do 'em the most Mischief. How strangely do they betray their own Weakness ? (Nay Modesty wou'd even allow me to call it by a worse Name) that they shou'd thus prostitute their Characters for such an insignificant Tool of an insignificant Party. However, 'tis a Manifestation of their Power, even of working Miracles, inasmuch as it has even made the Whigs asham'd, and own their Party in the wrong. Well Neighbour, don't be discourag'd, but bear up with a good Heart, and don't think all your Rights will be suffer'd to be quite gobbled up by this Turkey Corporation, for know that you have a Queen and Parliament that really abhor arbitrary Power, as much as the Whigs pretend to abhor it, when they want it, tho' they always exercis'd it to the last Degree, when ever the Kingdom was so miserable, as to be under the Scourge of their Government : I had almost said, and always will, but that I am happily anticipated by that joyful Consideration of the late Turn of Affairs,

and

and seasonable Check of whiggish Tyranny, so that (God be thank'd, and next to him the best of Queens) we may NOW truly apply the Motto to our selves this happy 1711. which their Forefathers inscrib'd upon their Broad Seal (after that Whiggish Doctrine had had its fatal natural Issue by the Murder of the King in 1648.) IN THE FIRST YEAR OF FREEDOM BY GOD'S BLESSING RESTOR'D. And oh! That it had never been applicable to the Royal Throne (I tremble to relate it) that has even been in Captivity to the very Essence of Whiggism The late Junto. But how are our Hearts fill'd with Gladness, and our Tongues with Joy. Now when we can say, that the Queen is free as well as her Subjects. Oh! was ever the Fountain of Liberty in Bondage, and that of Slavery Triumphant! 'Tis a Thought that even chills my Blood, and lays my Tongue in Fetters. ——— But as the Queen was pleas'd to say in her Speech at the Conclusion of the last Session of Parliament, that nothing could be too difficult for a Parliament that was so well affected to the Constitution both in Church and State; so we to our great Happiness may make an Addition, and say, what may not *England* expect from such a Queen and such a Parliament: Nothing less than (like the Sun) to dispel those Storms and Clouds of Whiggism that have lately hover'd over our *Sion*. And in a great Measure we see it effected, and the Patriots of Whiggism with Scorn and Shame driven from the Royal Throne of Justice, not daring to be weigh'd in the Ballance, because they knew they shou'd be found wanting, and may they never more appear, unless it be to receive the Wages of their Sin. I have now finished the Two first Particulars, the Corporations Invasion of the Rights of Trade, and their Creation of Burgeesses, and before I proceed to the Third, I shall beg leave to digress a little and interlard the whole with a Savory Instance of their abominable Partiality in disposing of publick Charity Money, for which they were appointed Trustees: For although a Man be never so well qualified for it, according to the Will of the Donor either as to his Trade or Poverty. If He won't swim down the Stream of Faction with them, they have no Bowels of Compassion, but will insult over the wretche's Misfortune, when according to the Design and Will of the Donor, he should be relieved, and perhaps for that very reason for which he and his Family now suffer, the Instance I shall give of the diligence of the Corporation in applying charity Money to make votes is this; one *White* formerly left a considerable Sum of Money to the Corporation, to be lent to 6 or 8 poor Burgeesses, some 25 *l.* and others 20 *l.* a piece for 10 Years without Interest.

And

And it happen'd to be the time of disposing of the Money immediately after the last Election, and to my Knowledge the Money was promised to 50 Persons at least, tho' but 6 or 8 could have it; and accordingly it was dispos'd of to so many Persons who had promis'd upon that account to Vote for the Whig-interest, without any regard to the Qualifications of the Persons, whilst several Persons that were qualified according to the Donor's Will, and made their application for it, were rejected because they voted for the Church-interest. And as to the common Pastures which ought to be dispos'd of to the poor Burgeses without distinction, they use the same partiality with respect to them, as they did in the disposal of the Publick Money. These proceedings (no doubt) will be a mighty Inducement to all well dispos'd Persons to appoint the Corporation of *Derby* Trustees for their Charity. And therefore, I have added two Advertisements very apposite to this purpose, having now done with the digression, I shall but just mention the last Privilege belonging to the Burgeses, which is right of Commons which the Corporation have dispos'd of. But as that was the Action of the whole Body, and not of a Party, I shall forbear to make any Reflection upon it, but may modestly say, that by the late strange Proceedings of making these bastard Burgeses, they have encreas'd the number of Commoners upon that small part yet remaining. And therefore, I think the least the Corporation could have done, should have been to have obliged all the spurious Burgeses to have paid 20 *l.* a piece to have been laid out for the benefit of the common Burgeses, by way of Recompence for the Invasion of their Privileges. But they have so many sins of Commission to answer for, that I wont charge them with the sins of Omision, but charitably believe they forgot (their Stomachs being full and their Heads empty) and 'tis a Privilege only by prescription and not by the Kings Charter, and therefore shall only say, that they are however bound in Conscience to lay out what Money they can spare out of their own Pockets, (which I am afraid wont be much) for the Benefit of the Poor Burgeses. And now I shall conclude with a hearty wish (that they may see their Errors, I had like to have said and be asham'd, forgetting they were Whigs) and that their future Proceedings may be such as to give no occasion to such melancholy Cogitations. But this is a Reformation which indeed is very much to be wish'd, but not to be hop'd for, for such is the obstinacy of the Whigs, that I will be bold to affirm, A Man may as well Preach in a Battle, or make a Speech to a great Gun,

Gun, as endeavour to convince those by Reason that contend for Power; however Neighbour, I have eas'd my mind. If they amend I shall rejoice at it, if not, you shall hear from me again.

ADVERTISEMENT.

WHoever (either Modern Whigs or Moderate Churchmen) has an inclination to be instrumental in carrying on the Good Old Cause after his Decease, and has a mind to leave 1000 *l.* 1500 *l.* 2000 *l.* or a greater or lesser Sum, for procuring factious Members of Parliament to be elected and return'd, he may appoint the Corporation of *Derby*, his Trustees. *N. B.* He need not mention any thing of his design in his Will, because it would be a shame to do that, he may pretend to leave it for the Maintenance of so many poor Widows, or for bringing Children up in Learning, and then putting 'em out to Trades, or setting up decay'd Tradesmen. But he may depend upon't they'll give a good Account of it every Election.

And further, the Corporation of *Derby* does hereby give Notice, that if Mr. *Samuel Goodwin* of *Derby*, will be pleas'd to endow the Parish Church of *St. Alkmunds* in *Derby*, and will be pleas'd to allow the Corporation the right of Patronage. He may assure himself, and the World, that if ever the Orthodox Clergy of the Church of *England* should happen to be sequestred and destroy'd (as they hope they will, and they'll use their utmost endeavours to effect it.) They do hereby promise to appoint one of their own Body to supply the Place, and will likewise take Care to receive the Benefits; and they further assure him, that there are some among them that have formerly had an excellent Knack at Praying and Preaching, and their Bowels Yearn for an Opportunity of trying their Faculties once again, and 'tis thought if ever they should, they will most of 'em prove to be gifted.

Note, That a paper of this Nature will be publish'd immediately after every Common-hall, Court of Trials, or Election of Burgesses, &c. Recounting the Justice of the Proceedings of the Worthy Corporation of *Derby*. It will be best known by the Name of the *Derby Mercury*.

By an Abhorrer of all King-killing Doctrines.

ADVERTISEMENT.

TH E Writer of this Letter thinks fit to advertise the Reader, that whereas he (living at a considerable distance from *Derby*, and having no opportunity to consult the Charter of that Corporation) has given it the Foundation of most of the Corporations of *England*, and accordingly has deriv'd most of the Privileges belonging to the Burgeses from the Crown by its Charter. He doth hereby acknowledge, that since his sending the Letter to the Press, he has been inform'd that the Town of *Derby* was a Borough, having Burgeses, who did enjoy certain Privileges by Prescription, before the first Charter of Incorporation granted by King *John*, by which, and several other Charters of the Kings of this Realm, all the Privileges which they then enjoy'd were confirm'd to 'em. And tho' he does not know that this last information is true, not conceiving how any Person or Persons shou'd be possess'd of distinct Privileges from their fellow Subjects, unless from the Crown, the Fountain of all Power. Yet he thinks fit (to obviate all Objections that might be made of his willingly misrepresenting the Constitution of the Corporation) to advertise the Reader, that 'tis a matter of no moment, for all the Difference is this, that he in his Letter made the Crown the original of the Burgeses Privileges, and by this account they were enjoy'd by Prescription, and confirm'd to 'em by the Crown. 'Tis not material which is the truth, for the Design of this Letter is only to shew that the Corporation has betray'd the Rights and Privileges of the Burgeses, either immediately deriv'd to 'em by the Kings Charters, or confirm'd to 'em by the Crown. The Author wou'd not be thought to accuse the whole Corporation, being inform'd that there are many Men of Sincerity and honest Principles among 'em, who abhor the Proceedings of the corrupt Majority.

The Reader is desir'd to correct the Errors of the Press thus,
PAge 3. Line 12. *instead of by the King read by Parliament, p. 2. l. 13.*
after, cease to be, read, (and the People are Judges when they do so)
 p. 7. l. 4. *for Whigs r. Whig, for Church-men r. Church-man.*

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